

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
(Indianapolis Division)**

**RED BARN MOTORS, INC.,  
PLATINUM MOTORS, INC.,  
MATTINGLY AUTO SALES, INC.,  
Individually, and on behalf of other  
members of the general public  
similarly situated**

**V.**

**COX ENTERPRISES, INC.,  
COX AUTOMOTIVE, INC.,  
NEXTGEAR CAPITAL, INC.,  
F/K/A DEALER SERVICES  
CORPORATION, successor by merger  
with Manheim Automotive Financial  
Services, Inc., and JOHN WICK**

**DOCKET NO. 1:14-cv-01589-TWP-DKL**

## CLASS ACTION

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## DESIGNATION OF EVIDENCE

Plaintiffs, Red Barn Motors, Inc. (“Red Barn”), Platinum Motors, Inc. (“Platinum”), and Mattingly Auto Sales, Inc. (“Mattingly”), by counsel and pursuant to S.D. Ind. L.R. 56-1, hereby submit this Designation of Evidence in support of their Motion for Partial Summary Judgment on Breach of Contract Claim:

Exhibit	Description
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**Exhibit A** Excerpt of Transcript of December 20, 2016 Rule 30(b)(6) Deposition of NextGear  
(Pages 1-12, 14-21, 55-62, 86-99, 104-111 and Exhibit 2 thereto).

**Exhibit B** Excerpt of November 10, 2016 Deposition of Adam Galema (Pages 1-4, 22-29, 35-41, 51-58).

**Exhibit C** Defendant NextGear Capital, Inc.'s First Amended Responses and Objections to Plaintiffs' First Set of Written Discovery, dated September 27, 2016.

**Exhibit D** Excerpt of Transcript of February 2, 2017 Deposition of Jay Cunningham (Pages 1-9, 46-52 and Exhibit 1 (with all attachments) thereto).

**Exhibit E** December 27, 2016 Email Exchange between Tracey Ledbetter, Katie Lasky, and Kerry Murphy.

**Exhibit F** Excerpt of Transcript of March 30, 2017 Deposition of David Hoffman (Pages 1-4, 22-28).

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 26th day of April, 2017, a copy of the foregoing was filed electronically. Notice of the filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF system.

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